

Docket No. 010077

PATENT

REMARKS

Applicant has corrected the specification for reference numeral "23" to --144-- for consistency with FIG. 2. Applicant submits that no new matter has been added by these corrections.

Claims 1-17 are pending in the application.

Claims 2 and 11 stand rejected under 35 USC 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter of the claimed invention because "diversity transceiver" was used in the claim and the specification allegedly does not mention that the diversity transceiver functions to "transmit."

Applicant respectfully traverses this rejection by pointing out that the specification at page 15, lines 20-26, describes that the slave antenna radiates an RF power signal. Accordingly, claims 2 and 11 meet the requirement of 35 USC 112, second paragraph, therefore the rejection of these claims pursuant this section should be withdrawn in the next Office action.

Claims 7, 8, and 12 stand rejected under 35 USC 102(b) as being anticipated by Cook (USPN 6,005,884) Applicant respectfully traverses this rejection.

In rejecting claim 7, the Examiner asserts that the cited reference teaches "controlling, in the receiving slave transceiver, the adjustable operational parameter of the receiving slave transceiver in response to a characteristic of the reverse RF signal" at column 22, lines 7-23. Upon careful reading of the cited disclosure, the disclosure describes a variable attenuator 18 that is controlled by a control signal from comparator 98 and a detected power level signal from coupler 11. In contrast, the combination defined by the claim includes, among other things, an adjustable operational parameter of the receiving slave transceiver being controlled in response to a characteristic of the reverse RF signal, which is not the same as that taught by the disclosure. Thus, the claim 7 is patentably distinguishable over the cited reference.

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Accordingly, the rejection of the claim 7, and claims 8 and 12 at least by virtue of their dependency on independent claims 7, under 35 USC102(b) should be withdrawn in the next Office action. If this rejection is maintained in the next Office action, Applicant respectfully requests a pinpoint cite to the column and line number of the reference for the teaching.

Claims 1-6, 9-11, and 13-17 stand rejected under 35 USC 103(a) as being unpatentable over Cook in view of Heiman (USPN 6,002,918), or Ames (USPN 5,283,626), or Brozovich (USPN 5,661,434) Applicant respectfully traverses these rejections.

Independent claim 1 recites, among other things, "each slave-CPU being adapted to control at least one adjustable operational parameter of its associated slave transceiver in response to at least one characteristic of a received reverse radio frequency (RF) signal." Independent claim 15 recites, among other things, "each of the slave transceivers comprising an associated slave central processing unit (slave-CPU) which is adapted to control at least one of the adjustable operational parameters of the slave-CPU's associated slave transceiver in response to at least one characteristics of the reverse RF signal." To establish a *prima facie* case of obviousness, the cited references must teach or suggest all the claim limitations. (MPEP 706.02(j).) Applicant submits that Cook does not teach or suggest the claimed combination defined in the claim, particularly the quoted limitation, as argued in traversing the rejection of independent claim 7. Thus, a *prima facie* case of obviousness is not established for the claim.

Accordingly, the rejection of claims 1 and 15, and claims 2-6, 16, and 17 at least by virtue of their dependency on independent claims 1 and 15, under 35 USC 103(a) should be withdrawn in the next Office action. Further, claims 9-11, 13, and 14 should be allowed least by virtue of their dependency on independent claims 7. If these rejections are maintained in the next Office action, Applicant respectfully requests a pinpoint cite to the column and line number of the reference for the teaching.

In view of the foregoing, Applicant submits that all pending claims are in condition for allowance. Applicant respectfully requests the reconsideration and reexamination of this

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application and the timely allowance of the pending claims. Should any issues remain unresolved, the Examiner is encouraged to telephone the undersigned at the number provided below.

If there are any other fees due in connection with the filing of the response, please charge the fees to our Deposit Account No. 17-0026. If a fee is required for an extension of time under 37 CFR 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

Dated: February 12, 2004By: 

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amend